

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TANIA SHOUSE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

CASE NO. 3:21-cv-05496-JRC

ORDER GRANTING STIPULATED  
REMAND PURSUANT TO  
SENTENCE FOUR, 42 U.S.C. §  
405(g)

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Magistrate Judge Rule MJR 13. *See also* Dkt. 2. This matter is before the Court on the parties' stipulated motion to remand the matter to the Commissioner for further consideration. Dkt. 14.

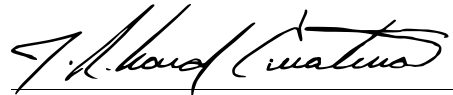
After reviewing the stipulated motion and the remaining record, the Court grants the motion. Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to plaintiff's application for Supplemental Security Income benefits under Title XVI of the Social Security Act be REVERSED AND REMANDED to the Commissioner of Social Security for a new hearing and a new decision by an administrative law judge (ALJ).

1 On remand, the ALJ will consider the prior final decision's findings in accordance with  
2 Acquiescence Ruling 97-4(9), and in doing so further consider plaintiff's "severe" impairments,  
3 residual functional capacity, and ability to perform past relevant work; and obtain supplemental  
4 vocational expert evidence. Further, as this case was previously remanded to the same ALJ, the  
5 Appeals Council will direct that, upon remand, this case be assigned to another ALJ.

6 Plaintiff may be entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. §  
7 2412, upon proper request to this Court.

8 Given the facts and the parties' stipulation, the Court hereby orders that the case be  
9 **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

10 Dated this 15th day of November, 2021.

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13 J. Richard Creatura  
14 Chief United States Magistrate Judge  
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